IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 31964 of 2005(E)

PETITIONER:

THANKACHY, W/O.DASAN,
AGED 48 YEARS, KOONATHUMPARAMBU, KAROOR,
AMBALAPUZHA, ALAPPUZHA.

BY ADV. SRI.A.X.VARGHESE

RESPONDENTS:
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1. **DISTRICT COLLECTOR,**
   ALAPPUZHA.

2. **DIRECTOR OF PANCHAYATHS,**
   THIRUVANANTHAPURAM.

3. **MARARIKULAM SOUTH GRAMA PANCHAYATH,**
   REP. BY SECRETARY,
   KATTOOR.P.O, ALAPPUZHA.

4. **EMPLOYMENT OFFICER,**
   EMPLOYMENT EXCHANGE, ALAPPUZHA.

5. **SARALA, PART TIME SWEEPER,**
   MARARIKULAM GRAMA PANCHAYATH,
   ALAPPUZHA.

BY ADV. SRI.V.GIRI
BY GOVERNMENT PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE IDENTITY CARD ISSUED TO THE PETITIONER BY THE EMPLOYMENT EXCHANGE.

EXT.P2: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DTD. 9/10/2005.

EXT.P3: COPY OF THE REPRESENTATION BEFORE THE 2ND RESPONDENT DTD. 13/10/2005.

EXT.P4: COPY OF THE NEWS ITEM REPORTED IN 'MATHRUBHUMI' DAILY DTD. 22/10/2005.

/TRUE COPY/

P.S.TO JUDGE

KSS

ANTONY DOMINIC, J.

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W.P.(C) No. 31964 OF 2005 E

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Dated this the 12th December, 2007

J U D G M E N T

Although service is not complete, I think in view of the submissions that are made by both sides the writ petition itself can be disposed of.

2. The complaint of the petitioner is that despite her 30 years seniority reckoned for the date of registration in the Employment Exchange, she has not been appointed in any establishment. It is in that premise this writ petition has been filed praying for a direction to the 3rd respondent to appoint her to the post of part time Sweeper in the South Mararikulam Grama Panchayat.

3. Learned Govt. Pleader referring to the counter affidavit submits that the petitioner had originally registered her name with the Cherthala Employment Exchange. Thereafter she had got her registration transferred to Alappuzha Employment Exchange. However, it was before transfer of her registration that candidates

were sponsored by the Alappuzha Employment Exchange for jobs against which she too could have been considered. It is also stated that after her registration with the Alappuzha Employment Exchange nobody has been sponsored overlooking her seniority and it was therefore the petitioner could not be sponsored for any establishment.

4. From the facts, it is evident that the petitioner's seniority has to be reckoned in Alappuzha and if so reckoned, the facts do not disclose that her seniority has been overlooked. If that be so, the petitioner cannot be directed to be appointed as sought for in this writ petition.

Writ petition fails and is dismissed.

ANTONY DOMINIC
JUDGE

jan/-